

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DINAH CANADA, et al.,

Plaintiffs,

v.

MERACORD, LLC, et al.,

Defendants.

CASE NO. C12-5657 BHS

ORDER DENYING PLAINTIFFS'
MOTION FOR LEAVE TO
CONDUCT DISCOVERY AND
DEFENDANTS' MOTION TO
STRIKE

This matter comes before the Court on Plaintiffs Marie Johnson-Peredo ("Johnson-Peredo"), Dinah Canada ("Canada"), and Robert Hewson's ("Hewson") (collectively "Plaintiffs") motion for limited discovery on jurisdiction and arbitrability (Dkt. 65), and Defendants Lloyd E. Ward, Amanda Glen Ward, Lloyd Ward, P.C., Lloyd Ward & Associates, P.C., The Lloyd Ward Group, P.C., Ward Holdings, Inc., and Settlement Compliance Commission, Inc.'s ("Ward Defendants") motion to strike (Dkt. 72).

The Court and the parties are familiar with the proceedings and facts of this matter. With respect to the instant motions, the Ward Defendants move to strike the first four pages of Plaintiffs' motion because the pages contain additional argument as to the merits of the Ward Defendants' motion to dismiss. Dkt. 72. Although the Court agrees

1 with the Ward Defendants, this material was not considered when deciding the motion to
2 dismiss. Therefore, the Court **DENIES** the Ward Defendants' motion as moot.

3 With regard to the remainder of Plaintiffs motion, they request leave to conduct
4 limited discovery on the issues of jurisdiction and arbitrability. Dkt. 65. The issue of
5 arbitrability has been decided in Plaintiffs' favor. Therefore, the Court **DENIES** this
6 request as moot.

7 With regard to jurisdiction, the Court dismissed only some of the Ward
8 Defendants for lack of jurisdiction (*see* Dkt. 79) and declined to stay Johnson-Peredo's
9 claims (*see* Dkt. 80). Johnson-Peredo may propound discovery on the remaining
10 Defendants requesting information as to any association with any other entity, whether
11 that be an individual or a business entity. If pertinent facts are discovered, then Johnson-
12 Peredo may request leave to file an amended complaint. Moreover, the Court notes that
13 two of the dismissed Defendants appear to be officers and/or employees of the
14 Defendants that were not dismissed. Because the dismissed Defendants may still be
15 involved in the case, the prejudice to Johnson-Peredo in denying jurisdictional discovery
16 over the dismissed Defendants individually is minimal, if any. Therefore, the Court
17 **DENIES** Plaintiffs' motion for leave to conduct discovery.

18 **IT IS SO ORDERED.**

19 Dated this 31st day of January, 2013.

20 

21 BENJAMIN H. SETTLE
22 United States District Judge